

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JEFFREY S. BROOKS,

Petitioner,

v.

STEPHEN SINCLAIR

Respondent.

CASE NO. C09-1736-RAJ

ORDER OF DISMISSAL

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, the Answer, the Report and Recommendation of United States Magistrate Judge Mary Alice Theiler, the governing law, and the balance of the record, does hereby find and ORDER:

- (1) The Report and Recommendation is ADOPTED;
- (2) Petitioner's habeas petition is DISMISSED with prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability; and
- (4) The Clerk of Court is directed to send copies of this Order to petitioner and to Magistrate Judge Mary Alice Theiler.

DATED this 11th day of August, 2010.



The Honorable Richard A. Jones
United States District Judge